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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,089	02/25/2004	Laurent Huet	713-1044	8536

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EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT PAPER NUMBER

3676

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/785,089

Applicant(s)

HUET ET AL.

Examiner

Christopher Boswell

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/25/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The application is noticed to have two different titles. The amended specification lists the title as “A Locking Device Operated By Two Pulses”, where as the Abstract, Oath and Declaration, and Drawings list the Title as “A Locking Device Operated By Two Pushes.” Appropriate correction is required.

Claim Objections

Claim 3 is objected to because of the following informalities: the recitation of “the contact surface” in line 4 does not draw to reference to a contact surface, the claimed “planar contact surface” is recited in claim 2, where claim 3 depends from claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 4,657,291 to Kurosaki.

Kurosaki discloses a locking device having a case (1) open at one of its ends (6), a sliding member (2) engaged in the case (1) and moveable with respect to it in a sliding direction,

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comprising a body (5 and figure 11) and two opposed elastic claws (3) which, when not urged, are maintained apart from each other, with, in a locked position, the sliding member inside in the case, two opposed faces of the latter holding the two claws brought towards each other, and in a release position, the body of the sliding member being substantially flush with the opening of the case, freeing the claws (figures 15-17), a spring (4) arranged between the body of the sliding member and the case, urging the sliding member towards the release position, wherein the case comprises a work face (figure 1) provided with an elastic leg (10) moveable in the plane of the face, the elastic leg being provided with a follower (11) projecting towards the inside of the case, and the sliding member comprises, a planar cam surface (22, figure 12) from which projects, towards the work face, a central island (23) about which is formed a cam track for the follower, the follower, with respect to the island, being in a captive position when the device is in its locked position while in a free position when the device is in the release position, as in claim 1.

Kurosaki also discloses the elastic leg has, on the face on the opposite side from the follower, a planar contact surface (figures 1-5) adapted to cooperate with a wall (24) provided for being held against the work face, as in claim 2, as well as the case having, on each of its lateral faces adjacent to the work face, fixing lugs (12) opposite a stop surface (7) transverse to the direction of sliding, and in that the contact surface extends beyond the ends of the fixing lugs towards the opening (figures 15-19), as in claim 3, and the elastic leg has two branches (figure 1) each attached to a corner of the work face, the two branches joining together at the follower, as in claim 4, wherein the follower (figure 10) comprises a lateral flat, as in claim 5, as well as the central island comprises a first edge, parallel to the direction of sliding, a second edge starting from one end of the first edge (figure 12) and oriented obliquely, these two edges furthermore

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being connected by a curved edge (figure 12) bowed towards the inside of the central island, as in claim 7.

Kurosaki further discloses the cam track is defined by two lateral walls (figure 9) substantially parallel to the direction of sliding, as well as by a peninsula (22h) facing the central island, situated at the connection of the elastic claws to the sliding member (figure 17), the lateral walls and the peninsula projecting from the cam surface towards the work face (figures 7-8, and 10), as in claim 6, wherein the peninsula has two edges (figure 12) forming a point directed towards the central island, one of those edges (figure 13), situated on the same side as the second edge of the central island, being parallel to the direction of sliding and the other edge (figure 13), situated on the same side as the first edge of the central island, being oblique (figure 13), as in claim 8, and the cam track comprises a portion of width just sufficient for the passage of the follower (figure 13), as in claim 9, and the peninsula comprises at least one stop edge (figures 7-8) arranged transversely to the direction of sliding and adapted to form an abutment for the follower, as in claim 10, additionally the cam surface further comprises a non-return rib (22g) projecting from the surface (figure 12) towards the work face and arranged parallel to the direction of sliding, the non-return rib extending between the central island and the peninsula (figure 12), as in claim 11, and the lateral walls comprise a portion (figure 11) projecting beyond the opposite end of the sliding member from the claws and adapted to be inserted in an aperture (figure 4) formed in the opposite face of the case from the opening, as in claim 15.

Kurosaki additionally discloses the case has a guide aperture (8) on one of its sides perpendicular to the opening and in that the sliding member having a tooth (18) engaged in said guide aperture, as in claim 12, where the case comprises an engagement groove (figure 1)

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situated on the inner face of the side on which the guide aperture is formed, the engagement groove continuing on from the guide aperture to one end of the case, with less depth (figures 7-8), as in claim 13, where the tooth has a bevel (figures 7-8), as in claim 14, as well as the casing has a guide (13) for the spring, projecting from the opposite face (figure 10) of the case from the opening, as in claim 16, where the sliding member has a hole (16) for receiving the spring (42).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to push latch assemblies:

U.S. Patent Number 5,997,056 to Yamagishi, U.S. Patent Number 5,984,381 to Yamagishi, U.S. Patent Number 5,401,067 to Kurosaki et al., U.S. Patent Number 5,292,158 to Kurosaki, U.S. Patent Number 5,217,262 to Kurosaki, U.S. Patent Number 4,779,906 to Kurosaki, U.S. Patent Number 4,709,949 to Umezwa et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (703) 305-4067. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Daniel P. Stodola". The signature is fluid and cursive, with a large initial 'D'.

CJB *CB*
September 16, 2004

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600